IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 13815 of 2004

Between:

B. Vijay Kumar S/o. B. Upender
Bharat Sanchar Nigam Limited, Warangal Secondary Switching Area,
Parkala, District Warangal.

..... PETITIONER

AND

1 The Chairman & Managing Director, BSNL, Sanchar Bhavan, 20, Ashoka Road, New Delhi.
2 The Chief General Manager (Telecom), A.P. Circle, B.S.N.L., Doorsanchar Bhavan,
Nampally Rly. Stn. road, Hyd. 500 001.
3 The General Manager Telecom District, Bharat Sanchar Nigam Ltd.,
BSNL Bhavan, District Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more in the nature of Writ of Mandamus directing the Respondents to continue the petitioner herein in service as Junior Telecom Officer, Parkala , with all the consequential benefits, duly setting aside the impugned order No. TA/AGM(A)/X-1/BVK/2, dt. 17.7.2004 of the 2nd respondent terminating the services of the petitioner on expiry of one month period, declaring the same as arbitrary, illegal, un-warranted and in violation of Articles 14 & 16 of the Constitution of India.

Counsel for the Petitioner:MR.SANKA RAMAKRISHANA RAO

Counsel for the Respondent Nos 1to 3: Mr. B. Narsimha Sarma &

Mr.K.Narahari, S.C for BSNL .

The Court made the following :

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ORDER:

Heard both sides and at their request the main Writ Petition is taken up for disposal.

Petitioner herein filed this Writ Petition seeks to assail the impugned show cause notice, dated 17.7.2004, proposing to terminate the services of the petitioner.

It is now represented across the bar that the petitioner had already filed an explanation on 23.7.2004.

Having regard to the facts and circumstances of the case and more so, the impugned proceedings being show cause notice, it is open for the respondents to pass final orders. Therefore, I do not find any justification to entertain the very Writ Petition. Accordingly, the Writ Petition is dismissed. Respondents are directed to consider the explanation dated 23.7.2004 filed by the petitioner and pass appropriate orders in accordance with law on merits after giving notice and opportunity to the petitioner. No Costs.

_____ B. PRAKASH RAO, J

Dated:20.12.2004.

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To

1 The Chairman & Managing Director, BSNL, Sanchar Bhavan, 20, Ashoka Road, New Delhi.
2 The Chief General Manager (Telecom), A.P. Circle, B.S.N.L., Doorsanchar Bhavan,
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